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9  
10 **UNITED STATES DISTRICT COURT**  
11 **NORTHERN DISTRICT OF CALIFORNIA**  
12

13 ANTONIO BRAVO,

Case No. C07-05518

14 Plaintiff,

**JOINT CASE MANAGEMENT  
STATEMENT**

15 vs.

16 CYBER SOLUTIONS INTERNATIONAL  
17 CORPORATION, PAUL SRIDHAR, and  
18 DOES 1 - 10,

19 Defendants.  
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Plaintiff and Defendant file this Joint Case Management Conference Statement

**DESCRIPTION OF THE CASE:**

1. A brief description of the events underlying the action:

Plaintiff ANTONIO BRAVO was employed by defendant CYBER SOLUTIONS INTERNATIONAL CORPORATION as a fork lift operator between November 2005 and July 2007. Plaintiff alleges that defendants committed various wage and hour violations during his employment including:

- (a) failure to pay overtime wages (Cal. Labor Code § 510);
- (b) violations of Fair Labor Standards Act (29 USC § 201 et seq.)
- (c) failure to pay wages due and waiting time penalties (Cal. Labor Code § 201 and §203)



- 1 (d) unfair business practices act (Cal. Bus. & Prof. Code §17200 et seq.)
- 2 (e) inadequate pay statements (Cal. Labor Code § 226)
- 3 2. The principal factual issues which the parties dispute:
- 4 (a) The number of hours plaintiff worked;
- 5 (b) Overtime wages paid to plaintiff; and
- 6 (c) Identity and involvement of defendant Paul Sridhar in plaintiff's
- 7 employment with defendant Cyber Solutions.
- 8 3. The principal legal issues which the parties dispute:
- 9 (a) Whether defendants are subject to FLSA;
- 10 (b) Whether plaintiff was an "exempt" employee;
- 11 (c) Whether plaintiff is entitled to waiting time penalties under Labor Code §
- 12 203; and
- 13 (d) Whether plaintiff can recover against defendants under Cal. Bus. & Prof.
- 14 Code §17200 et seq.;
- 15 (e) Whether plaintiff can recover against defendants under Labor Code § 226;
- 16 and
- 17 (f) Whether defendant Paul Sridhar is personally liable for any action by
- 18 defendant Cyber Solutions.
- 19 4. The other factual issues which remain unresolved: None at this time.
- 20 5. The parties which have not been served and why: defendant Paul Sridhar because
- 21 defendant Cyber Solutions is unaware of his existence.
- 22 6. The additional parties which the below-specified parties intend to join and the
- 23 intended time frame for such joinder: Plaintiff will join Defendants who had control over
- 24 the work and pay of Plaintiff.
- 25 7. The parties have not consented to assignment of this case to a United States
- 26 Magistrate Judge for jury trial.

#### 27 **ALTERNATIVE DISPUTE RESOLUTION**

- 28 8. The parties filed a Notice of Need for ADR Phone Conference and the phone



1 conference was held on or is scheduled for: Not applicable.

2 9. Other information regarding ADR process or deadline: Both Parties agree to  
3 participate in the Court sponsored mediation.

4 **DISCLOSURES**

5 10. The parties certify that they have made the following disclosures: Plaintiff and  
6 Defendants have not yet exchanged their Initial Disclosure Statements pursuant to Rule 26.  
7 We will exchange initial before or at the Case Management Conference.

8 **DISCOVERY**

9 11. Defendants propose following discovery plan:

- 10 (a) Each party may take up to three depositions.  
11 (b) Each party shall be entitled to propound written interrogatories per the  
12 federal rules;  
13 (c) Each party may propound requests for production of documents or things per  
14 the federal rules;  
15 (d) Each party may propound requests for admissions per the federal rules;  
16 (e) Fact discovery cutoff 60 days before trial;  
17 (f) Expert disclosures and reports due 60 days before trial;  
18 (g) Experts rebuttal reports 45 days before trial;  
19 (f) Expert deposition to be completed 30 before trial;  
20 (g) Last day of hearing on dispositive motions 15 days before trial;  
21 (h) The parties agree to meet and confer concerning any modifications to this  
22 plan.

23 **TRIAL SCHEDULE**

24 12. Defendants request a trial date in winter of 2008.

25 13. Defendants expect that the trial will last for 2 days.

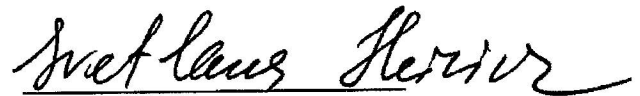
26 Dated: February 29, 2008  
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